

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
January 30 – February 3, 2006

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
1-30	EX	78356644	David & Goliath, Inc.	Seeherman Holtzman Kuhlke*	2(d)	Refusal Affirmed		"CHICKS RULE" [baseball caps, boxer briefs, boxer shorts, briefs, pajamas, panties, shirts, slippers, socks, thongs, t-shirts, undergarments, underpants, undershirts, underwear]	"GIRLS RULE" [women's wearing apparel, namely: bathing suits; bathrobes; blouses; caps; dresses; halter tops; hats; jackets; jeans; jumpers; jumpsuits; leggings; mini-skirts; overalls; pajamas; pants; shirts; casual shirts; shorts; gym shorts; sweat shorts; skirts; ski suits; sleepwear; snowsuits; sport shirts; sweaters; t-shirts; vests; and footwear, namely, shoes]	Oh	No
1-30	OPP (SJ)	91163436	Aktieselskabet af 21. November 2001 v. Fame Jeans	Hohein Hairston Drost [Opinion "By the Board" (Cataldo)]	2(d) [priority]	Opposition Dismissed (Applicant's motion for summary judgment granted)	"JACK & JONES" [<i>a wide variety of clothing items</i>]	"JACK & JONES" [<i>a wide variety of clothing items</i>]			Yes
1-31	EX	76569020	Oralabs, Inc.	Hohein Holtzman* Kuhlke	2(d)	Refusal Affirmed		"GENTLE LIPS" [non-medicated lip balm]	"GENTLE GEL" [non-medicated lip and gum gel]	Verhosek	No

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(2) *=Opinion Writer; (D)=Dissenting Panel Member

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1-31	EX	76570201	Sakar International Inc.	Seeherman* Holtzman Walsh	2(d)	Refusal Affirmed		“OPTI VISION” [camera lenses, digital cameras, and video camera accessories, namely, video camera lenses, bags for video cameras, lights for use on video cameras, all sold in electronic stores to amateur consumers and photographers]	“OPTIVISION” [computer hardware and software for use in image compression or decompression, video compression or decompression, video editing, and optical networking applications]	Stoides	No
1-31	EX	78231303	Refresh Skincare, Inc.	Hairston Bucher Rogers*	2(d)	Refusal Affirmed as to Class 3; Refusal Reversed as to Class 44		REFRESH SKINCARE (and design) [<i>in Class 3</i> : skin care products, namely, skin and face moisturizers, conditioning, firming, smoothing and toning creams and lotions, skin resurfacing creams, lotions and crystals, skin exfoliating creams, lotions and crystals, all sold at skin care salons; <i>in Class 44</i> : skin care salon services]	“REFRESH” (and design) [personal soap]	Mizelle-Howard	No
1-31	EX	76580478	Stephen Wild	Holtzman Rogers Drost*	2(d)	Refusal Affirmed		“COLD DOG” [bulk ice cream]	“COOL DOG” [frozen confections; candy; flavored ices containing small pieces of fruit; dessert food products for sale to food services and retail companies, namely, ice cream, ice milk, and frozen yogurt; <i>etc.</i>]	Saunders	No

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1-31	EX	78220033	Grand Forest Holdings Incorporated	Quinn Hohein Drost*	2(e)(1)	Refusal Reversed		"FREEDOM FRIES" [frozen French fried potatoes]		Reihner	Yes
1-31	EX	76456629	DataMirror Corporation	Seeherman* Quinn Hairston	2(d)	Refusal Affirmed		"iREFLECT" [computer software to manage the resiliency, high availability, mirroring and performance of operating systems software, application software, database software and data]	"REFLECT SYSTEMS" [computer hardware and software for content and data creation, distribution and storage]	Micheli	No
1-31	EX	76397980	Villari	Hairston* Zervas Kuhlke	2(d)	Refusal Affirmed in Class 42; Refusal Reversed in Class 41		"THE I.D.E.A. LAWYERS 'PROTECTING YOUR CHILD'S EDUCATIONAL RIGHTS'" [in Class 41: providing educational services, namely, assisting children with disabilities and/or developmental delays in obtaining appropriate private or public education under the state and Federal laws; in Class 42: legal services, namely, providing assistance to parents with children with disabilities and/or developmental delays]	"THE IDEA ATTORNEYS" [legal services]	Ervin	No

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2-1	EX	76370013	GSI Commerce Solutions, Inc.	Hohein Rogers Kuhlke*	2(d)	Refusal Affirmed as to both cited registrations		"GSI COMMERCE" [Internet consulting services, namely, providing assistance to others in developing online retail web sites, namely, providing assistance to others in developing underlying technology platforms that enhance their online retail web site efficiency and functionality]	2 cited registrations, both owned by the same entity: "GSI NET" [providing multiple-user access to a global computer information network] and "GSI NET" (and design) [telecommunications services, namely, providing multiple user dial-up and dedicated access to the internet]	Amos	No
2-2	CANC	92041265	Teledyne Technologies, Inc. v. Western Skyways, Inc.	Quinn* Bucher Zervas	2(d); laches	Petition to Cancel Denied	"GOLD SEAL" [airplane parts, namely, ignition harnesses]	"GOLD SEAL" [aircraft engines]			Yes

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